

## II. Amendments to the Drawings

Replacement drawing sheets for each of Figure 1, Figure 2, Figure 3, Figure 4, and Figure 5 are attached to this Third Supplemental Amendment.

In Figure 1, in box 32, "agressive" has been changed to "aggressive"; and in box 36, "Annuity" has been changed to "Annuities" and "dispersemen t" has been changed to "disbursement".

In Figure 2, in box 18, "Benefit Plan participant" has been changed to "plan participants"; and in box 144, "intermediarie s" has been changed to "intermediary"; and in box 38, "Independent financial expert" has been changed to "Independent Expert".

In Figure 3, in box 18b, "P<sub>3</sub>" has been changed to "I<sub>3</sub>"; and in box 18c, "P<sub>N</sub>" has been changed to "I<sub>N</sub>".

There are no changes to Figure 4.

In Figure 5: each of items 128, 132, 138, 136, and 134 has been deleted. For item 18, "Invertor" has been changed to "Investor". For item 114, "Serve r" has been changed to "Server", and "Applicatio n" has been changed to "Application" in two instances. For item 106, "Applicatio n" has been changed to "Application". For item 108, "Databas e" has been changed to "Database".

No new matter has been added.

#### IV. Remarks

Reconsideration and allowance of the subject application are respectfully requested.

Applicants wish to thank Examiner Colbert for her expeditious consideration of the previously filed Second Supplemental Amendment.

In response to the objections to the drawings and specification detailed at pages 2-7 of the Office Communication mailed on March 1, 2006, a substitute specification has been provided, and a set of replacement drawing sheets has been provided. The substitute specification is intended to address every objection to the specification and many of the objections to the drawings by correcting a multiplicity of typographical errors and using consistent terminology throughout the specification and drawings. Accordingly, each and every amendment to the specification is a minor informality and in no way is intended to change the substance of the original specification. Therefore, no new matter has been added.

Similarly, the amendments to the drawings include corrections to minor typographical errors and informalities, and in no way are intended to change the substance of the original drawings. Therefore, no new matter has been added.

Claims 63-70, 72-81, and 85-87 are pending in the application. Claims 63 and 85 are independent.

Certain claims have been amended for clarity with

respect to the specification, and not for any reason related to any statutory requirement.

With respect to the word "substantially" in the claims, Applicants respectfully submit that the courts have long recognized that the this word is proper in the claims and is not indefinite. See, for example, *Adelberg Laboratories Inc. v. IVAC Corp.*, 24 USPQ2d 1776, 1779 (Dist. So. Cal. 1992). Here, the word "substantially" is meant to cover those embodiments which are close enough to practice the present invention. For example, if the word "substantially" were removed from the claim, this would limit the scope of equivalence allowable in the claim, and permit an infringer to escape infringement. In fact, such a result would be required in view of the recent *Festo* decision (any narrowing claim amendment is entitled to no range of equivalents under the Doctrine of Equivalents). Accordingly, Applicants respectfully submit that the word "substantially" in the claims is in full compliance with 35 USC 112, second paragraph.

Claim 1 was rejected under 35 USC § 112, second paragraph, for the reasons noted at pages 7-8 of the Office Action. Applicants respectfully traverse this rejection on the ground that the person of ordinary skill in the art would

not be confused as to the meaning or scope of the claims. Nevertheless, Claim 1 has been amended for clarity with respect to the specification and Drawings, and not in response to any statutory requirement.

In view of the above, it is believed that this application is now in condition for allowance, and a Notice thereof is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3500. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard P. Bauer", written over a horizontal line.

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